#### PATENT COOPERATION TREATY

Sender:

THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

#### PCT

To:	]	NOTIFICATION OF TRANSMITTAL
Hamann, Arndt		OF INTERNATIONAL PRELIMINARY
SAURER GmbH & Co. KG		REPORT
Landgrafenstrasse 45		(Rule 71.1 PCT)
D-41069 Mönchengladbach		Date of mailing
GERMANY		(Day/month/year) 21.07.2006
Applicant's or agent's file reference	<del></del>	
Applicants of agents the reference	IMPORT	ANT NOTIFICATION
WS 2257 PCT	IMFORT	ant notification
International application No.	International filing date	Priority date (Day/Month/Year)
	(D/1/	
	(Day/Month/Year)	
PCT/EP2005/002528	10.03.2005	10.04.2004
PCT/EP2005/002528 Applicant	1 ' '	10.04.2004
Applicant	1 ' '	10.04.2004
	1 ' '	10.04.2004

- The Applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the International Preliminary Report on patentability and its annexes, if any, established on the International Application.
- 2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for Communication to all the elected Offices.
- 3. Where required by any of the elected offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those offices.

#### 4. REMINDER

The Applicants must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the information sent by the International Bureau with form PCT/1B/301).

Where a translation of the International Application must be furnished to an elected Office, that translation must contain a translation of any annexes to the International Preliminary Report on patentability. It is the Applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices see Volume II of the PCT Applicant's guide.

The Applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purpose of International Preliminary Examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure of the invention and clarity and support for the claims.

Name and mailing address of the International	Authorised officer		
Examining Authority:			
European Patent Office - P.B. 5818 Patentlaan 2	Blouw, J		
NL-2280 HV Rijswijk – Netherlands	ŕ		
Tel. +31 70 340 -2040, Tx: 31 651 epo nl	Tel. +31 70 340 - 4118 EPO stamp		
Fax: +31 70 340 - 3016	10i. 151 70 510 1110 22 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5		

Form PCT/IPEA/416 (January 2004)

#### PATENT COOPERATION TREATY

### **PCT**

#### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

See Form PCT/IPEA/416

Applicant's or agent's file reference FOR FURTHER ACTION

WS 225					
International application No.				Priority date (Day/Month/Year)	
PCT/EP2005/002528		( <i>Day/Month/Year</i> 10.03.2005	r)	10.04.2004	
		sification (IPC) or national class	ification and II	10.04.2004	
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Applica					
SAURE	R GMBH & CO	. KG			
.1. Thi	s report is the in mining Authorit	nternational preliminary examin y according to Article 35 and tra	nation report, e nsmitted to the	established by this International Preliminary Applicant according to Article 36.	
2. Thi	s REPORT consi	ists of a total of 5 sheets, including	ng this cover sh	neet.	
3. Thi	s report is also ac	companied by ANNEXES, com	nrising		
a. [		to the Applicant and to the Inter		u), as follows:	
	Sheets of the description, claims and/or drawing which have been amended and are the basis of this				
	report and/or sheets containing rectifications authorised by this authority (see Rule 70.16 and				
	Section 607 of the Administration instructions).				
	Sheets which supersede earlier sheets, but which this Authority considers contain an amendment				
	that goes beyond the disclosure in the International Application as filed, as indicated in Item 4 of Box No. 1 and the supplemental box.				
b. 🗆			ntal of (indicat	e type and number of electronic carrier(s)	
b.   (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s), containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the					
	supplemental	box relating to the sequence list	ing (see Section	n 802 of the Administrative Instructions).	
4 671					
4. This	s report contains	indications relating to the follow	ring items:		
x	Box No. I	Basis of the report			
	Box No. II	Priority			
	Box No. III	•	s with regard t	o novelty, inventive step and any industrial	
		applicability	_		
	Box No. IV	Lack of unity of invention			
X	Box No. V	Reasoned statement under A	rticle 35(2) w	with regard to novelty, inventive step and	
	Box No. VI	Certain documents cited	ndustrial applicability; citations and explanations supporting such statement		
	Box No. VII		Certain documents cited  Certain defects in the international application		
П	Box No. VIII	Certain observations on the int	ernational anni	ication	
<u>U</u> _		volva validad da die ille			
Date of	submission of	the request for preliminary	Date of com	pletion of this report	
examination		y	21.07.2006		
09 07 20	<b>05</b>				

Authorised officer

Henningsen, O

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**EPO** stamp

NL-2280 HV Rijswijk – Netherlands Tel. +31 70 340-2040 Tx: 31 651 epo nl

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Name and mailing address of the International

European Patent Office - P.B. 5818 Patentlaan 2

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY 10/593520

### International Application No. PCT/EP2005/002528

Box ]	No. 1	Basis of the report
1. langu	With nage in w	regard to the language, this report is based on the International Application in the which it was filed, if nothing different is stated under this point.
		The report is based on a translation from the original language into the following language, which is the language of the translation, which has been filed for the following purpose:  international search (according to Rules 12.3 and 23.1b)  publication of the international application (according to Rule 12.4)  international preliminary examination (according to Rules 55.2 and/or 55.3)
invita	icement .	regard to the <b>elements*</b> of the international application, the report is based on sheets which have been furnished to the receiving office in response to an ler Article 14 are referred to in this report as "originally filed" and are not annexed:
Descr 1-13	ription, <sub>i</sub>	pages in the originally filed version
Claim 1-9	ıs, No.	in the originally filed version
<b>Draw</b> : 1/4-4/4	ings, sho 4	in the originally filed version
☐ listing	a seque	ence listing and/or any related tables – see supplemental box relating to sequence
3. 🗆	The and	Description: page Claims: No. Drawings: Sheet/Figs. Sequence listing (specify): any tables relating to the sequence protocol (specify):
4. 🗆	and list	port has been established as if (some of) the amendments annexed to this report red below had not been made, since they have been considered in the opinion of hority to go beyond the disclosure as originally filed, as indicated in the mental box (Rule 70.2 c)).
		Description: page
		Claims: No.
		Drawings: Sheet/Figs.
		Sequence listing (specify):
* If Iter	ш т 4 аррі	any tables relating to the sequence listing (specify):  lies, some or all of the sheets may be marked "superceded".
-	11	

Form PCT/IPEA/409 (January 2004)

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International Application No. PCT/EP2005/002528

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; documents and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims 1-8

No: Claims

Inventive step (IS)

Yes: Claims 1-8

No: Claims

Industrial applicability (IA) Yes:

Claims 1-8

No: Claims

2. Documents and explanations (Rule 70.7):

see supplementary sheet

## IAP16 Rec'd PCT/PTO 20 SEP 2006 10/593520

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (SUPPLEMENTARY SHEET)

#### International Application No. PCT/EP2005/002528

#### Item V

Reasoned statements with regard to novelty, inventive step and industrial applicability; documents and explanations supporting such statement

1. Reference is made to the following document:

D1: DE 102 10 895 (WILHELM STAHLECKER GMBH) 25 September 2003

2. The document D1 is regarded as the closest prior art compared to the subject of claim 1. It discloses (the references in brackets relate to this document):

Open-end rotor spinning device comprising a spinning rotor (1), which rotates during the spinning process at a high speed in a rotor housing (4), which can be subjected to low pressure and which can be closed by a covering element (6), comprising a driven opening cylinder, which rotates in an opening cylinder housing, and also comprising an at least two-part fibre guiding channel (25, 30, 26, 31).

The output-side channel section (26, 31) and the input-side channel section (25, 30) of the fibre guiding channel are thus located in a channel plate adapter (8), the centre longitudinal axis of which extends coaxially to the axis of rotation of the spinning rotor (1), wherein the centre longitudinal axes of the channel sections are arranged inclined with respect to one another and wherein the output-side channel section (26, 31) of the fibre guiding channel can be replaced to achieve optimum yarn-dynamic values (column 3, line 24 to 46).

- 2.1 The subject of claim 1 therefore differs from the known D1 in that:
  - a) The opening roller is driven by a single motor.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (SUPPLEMENTARY SHEET)

#### International Application No. PCT/EP2005/002528

b) The input-side channel section (30) of the fibre guiding channel is positioned in the opening cylinder housing (19), the input-side channel section (30) of the fibre guiding channel (18) being mounted so as to be movable to a limited extent with respect to the output-side channel section (31) of the fibre guiding channel (18), the centre longitudinal line (32) of the input-side channel section (30) being adjustably arranged about angles (α, β) with respect to the centre longitudinal line (33) of the output-side channel section (31) to achieve optimum yarn-dynamic values.

Accordingly, the subject of claim 1 of the application is novel in the context of Article 32(2) PCT.

- 2.2 The object to be achieved with the following invention can be seen in implementing an improved mechanism to achieve optimum yarn-dynamic values.
- 2.3 The solution proposed in claim 1 of the application to this object, which is based on a mode of construction, which implements an adjustment possibility of the input-side channel section (30) of the fibre guiding channel (18), is not made obvious by any of the documents cited in the search report.
  - This solution is therefore based on an inventive step (Article 33(3) PCT).
- 3. Claims 2 to 8 are dependent on claim 1 and therefore also satisfy the requirements of the PCT with regard to novelty and an inventive step.